Document 20

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Qase 3:08-cv-00233-BTM-CAB

(ase 3:08-cv-00233-BTM-CAB Do	cument 20	Filed 04/09/2008	Page 2 of 22
1	GIANT INTERNATIONAL (USA) LTI Delaware corporation, and DOES 1-10,	D., a)		
2	Defendan	its.)		
3	and related counterclaims.)		
4	JENS ERIK SORENSEN, as Trustee of)		
5 6	SORENSEN RESEARCH AND DEVELOPMENT TRUST,)	Case No. 07cv2277	
	Plaintiff,)		
7	V.)		
8 9	ESSEPLAST (USA) NC, INC., a Delaw corporation, and DOES 1-100,	vare)		
10	Defendants.)		
11	and related counterclaims JENS ERIK SORENSEN, as Trustee of)		
12	SORENSEN RESEARCH AND	,)	Case No. 07cv2278	
13	DEVELOPMENT TRUST,)		
14	Plaintiff, v.)		
15)		
16	HELEN OF TROY TEXAS CORPORA OXO INTERNATIONAL LTD.;	ATION;)		
17	and DOES 1 – 100,)		
18	Defendants.	<u> </u>		
19	JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND)	Case No. 07cv2321	
20	DEVELOPMENT TRUST,)		
21	Plaintiff, v.)		
22	ENERGIZER HOLDINGS INC, a Misso) ouri)		
23	corporation; EVEREADY BATTERY)		
24	COMPANY, INC.; and DOES 1 – 100.	,		
25	Defendants.)		
26	and related counterclaims.			
27	JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND		G N 00 0007	
28	DEVELOPMENT TRUST,)	Case No. 08cv0025	
		2.	Case No. 06-cv-1572 B7	ΓM CAB and other related cases
	II			

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1	Plaintiff)	
2	v.)	
3	EMERSON ELECTRIC CO., a Missouri)	
4	corporation; ONE WORLD TECHNOLOGIES, INC., a Delaware corporation; RIDGE TOOL)	
5	COMPANY, an Ohio corporation; RIDGID, INC., a Delaware corporation; and)	
6	DOES 1 – 100 Defendants.)	
7)	
8	and related counterclaims JENS ERIK SORENSEN, as Trustee of	_) _)	
9	SORENSEN RESEARCH AND DEVELOPMENT TRUST,) Case No. 08cv0060	
11	Plaintiff)	
12	V.)	
13	RYOBI TECHNOLOGIES, INC., a Delaware)	
14	corporation; TECHTRONIC INDUSTRIES NORTH AMERICA, INC., a Delaware)	
15	corporation; and DOES 1 – 100,)	
16	Defendants. JENS ERIK SORENSEN, as Trustee of) -)	
17	SORENSEN RESEARCH AND DEVELOPMENT TRUST,) Case No. 08cv0070	
18	Plaintiff)	
19	V.)	
20	SENCO PRODUCTS, INC., an Ohio)	
21	corporation; and DOES 1 – 100,)	
22	Defendants.)	
23	JENS ERIK SORENSEN, as Trustee of	-)	
24	SORENSEN RESEARCH AND DEVELOPMENT TRUST,) Case No. 08cv0134	
25	Plaintiff)	
26	V.)	
27	INFORMATICS, INC., a Texas Corporation;)	
28	INFORMATICS HOLDINGS, INC., a Delaware)	
		Case No. 06-cv-1572 B	ΓM CAB and other related cases

C	ase 3:08-cv-00233-BTM-CAB Document 20	Filed 04/09/2008	Page 4 of 22
1	Corporation; DATALOGIC SCANNING, INC.,)	
2	a Delaware Corporation; DATALOGIC SCANNING HOLDINGS, INC., a New York))	
3	Corporation.)	
4	Defendants.)	
5	JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND) Case No. 08cv0135	
6	DEVELOPMENT TRUST,)	
7	Plaintiff)	
8	V.))	
9	SANYO NORTH AMERICA CORPORATION, a Delaware Corporation; and DOES 1 – 100,))	
10	Defendants.))	
11	JENS ERIK SORENSEN, as Trustee of) Case No. 08cv0136	
12	SORENSEN RESEARCH AND DEVELOPMENT TRUST,)	
13	Plaintiff	,)	
14	V.))	
15	MOTOROLA, INC., a Delaware Corporation; and DOES 1 – 100,))	
16	·)	
17	Defendants. JENS ERIK SORENSEN, as Trustee of))	
18	SORENSEN RESEARCH AND DEVELOPMENT TRUST,) Case No. 08cv0231	
19))	
20	Plaintiff v.)	
21	CTT TOOLS, INC., a California Corporation;))	
22	and DOES 1 – 100,))	
23	Defendants.)	
24	JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND))	
25	DEVELOPMENT TRUST,) Case No. 08cv0232	
26	Plaintiff)	
27	v.))	
28	ALLTRADE TOOLS, LLC., a California))	
		Case No. 06-cv-1572 B	ΓM CAB and other related cases
	II .		

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1			
1	Corporation; and DOES 1 – 100,)	
2	Defendants.	<u> </u>	
3	JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND) Case No. 08cv0233	
4	DEVELOPMENT TRUST,)	
5	Plaintiff)	
6	v.)	
7	GLOBAL MACHINERY COMPANY, an)	
8	Australian company; GMCA PTY. LTD., an Australian company; TRAPONE)	
9	CORPORATION PTY. LTD., an Australian)	
	company; and DOES 1 – 100,)	
10	JENS ERIK SORENSEN, as Trustee of	—) Case No. 08cv0234	
11	SORENSEN RESEARCH AND DEVELOPMENT TRUST,) Case 110. 00c10254	
12)	
13	Plaintiff v.)	
14	EMISSIVE ENERGY CORP., a Delaware)	
15	Corporation; and DOES 1 – 100,)	
16	Defendants.)	
17	JENS ERIK SORENSEN, as Trustee of	-)	
18	SORENSEN RESEARCH AND DEVELOPMENT TRUST,) Case No. 08cv0304	
19	,)	
	Plaintiff v.)	
20	METADO CODDODATION - D.I.)	
21	METABO CORPORATION, a Delaware Corporation; METABOWERKE GMBH, a)	
22	German Corporation; and DOES 1 – 100,)	
23	Defendants.)	
24	JENS ERIK SORENSEN, as Trustee of		
25	SORENSEN RESEARCH AND DEVELOPMENT TRUST,) Case No. 08cv0305	
26	Plaintiff	,)	
27	V.)	
28	RALLY MANUFACTURING, INC., a Florida)	
		5. Case No. 06-cv-1572 B	TM CAB and other related cases

C	ase 3:08-cv-00233-BTM-CAB Document 2	20 Filed 04/09/2008	Page 6 of 22
1	Comparation and DOES 1 100		
1	Corporation; and DOES 1 – 100,)	
2	Defendants. JENS ERIK SORENSEN, as Trustee of	_)	
3	SORENSEN RESEARCH AND) Case No. 08cv0306	
4	DEVELOPMENT TRUST,)	
5	Plaintiff)	
6	V.)	
7	SUNBEAM PRODUCTS, INC., a Delaware)	
8	Corporation; and DOES 1 – 100,)	
9	Defendants.)	
10	JENS ERIK SORENSEN, as Trustee of	(a) Case No. 08cv0307	
11	SORENSEN RESEARCH AND DEVELOPMENT TRUST,)	
12	Plaintiff)	
13	V.)	
14	STAR ASIA, U.S.A., LLC, a Washington)	
15	Corporation; and DOES 1 – 100,)	
	Defendants.)	
16	JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND	-)	
17	DEVELOPMENT TRUST,) Case No. 08cv0308	
18	Plaintiff)	
19	V.)	
20	LOGITECH INC., a California Corporation; and)	
21	DOES 1 – 100,)	
22	Defendants.) _)	
23	JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND		
24	DEVELOPMENT TRUST,) Case No. 08cv0309	
25	Plaintiff)	
26	V.)	
27	CENTRAL PURCHASING, LLC, a California)	
28	Corporation; and DOES 1 – 100,)	
20)	
		6. Case No. 06-cv-1572 B	ΓM CAB and other related cases
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TO ALL PARTIES AND THEIR COUNSEL OF RECORD

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PLEASE TAKE NOTICE that on May 30, 2008 at 11:00 a.m. or as soon thereafter as this matter may be heard before the Honorable Barry Ted Moskowitz, Plaintiff Jens Erik Sorensen, as trustee of Sorensen Research & Development Trust, will and do, moves this Court for an order consolidating the above-captioned cases for all purposes pursuant to Rule 42 of the Federal Rules of Civil Procedure.

This motion is made on the grounds that these actions involve overlapping

issues of law and fact and consolidation of these cases will promote efficiency.

A list of all named defendants in each case¹, including identification of those who have appeared, and the names of their respective attorneys of record, are as follows:

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8	
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10	
11	
12	

D.C. I.	4 19	A () C.D. 1
Defendants	Appeared?	Attorney(s) of Record
The Black & Decker	Yes	Raymond P. Niro, Jr.
Corporation		Dina Hayes
Black & Decker Inc.		Gregory P. Casimer
Black & Decker (U.S.) Inc.		Robert A. Conley
Porter-Cable Corporation		Niro, Scavone, Haller & Niro
Vector Products, Inc.		181 W. Madison St., Ste. 4600
B&D Holdings LLC		Chicago, IL 60602
		Allison Goddard
		J. Christopher Jaczko
		Jaczko Goddard LLP
		4401 Eastgate Mall
		San Diego, CA 92121
Phillips Plastics Corporation	Yes	Kenneth S. Klein
Hi-Tech Plastics Inc.		Foley & Lardner LLP
		402 W. Broadway, Suite 2100
		San Diego, CA 92101-3542
		Sun Biego, 21172101 33 12
		Robert L. Binder
		Foley & Lardner LLP
		777 East Wisconsin Avenue
		Milwaukee, WI 53202
		1711177 dance, 171 33202
		Richard L. Schwaab
		Pavan K. Agarwal
		C. Edward Polk, Jr.
		Foley & Lardner LLP
	I.	•

¹ Plaintiff Jens Erik Sorensen as Trustee of Sorensen Research and Development Trust is represented by attorneys J. Michael Kaler and Melody A. Kramer in every case, and also by Patricia A. Shackelford in the Black & Decker case.

		3000 K Street, N.W. Suite 500 Washington, DC 20007
Giant International (USA) Ltd.	Yes	Allison Goddard J. Christopher Jaczko Jaczko Goddard LLP 4401 Eastgate Mall San Diego, CA 92121 Dale Lischer Elizabeth G. Borland Kerri A. Hochgesang Smith, Gambrell & Russell, LLP Promenade II, Suite 3100 1230 Peachtree St., N.E. Atlanta, GA 30309
Esseplast USA (NC) Inc.	Yes	Alan A. Limbach Gregory J. Lundell Elizabeth Day Vincent S Lam Erik R. Fuehrer DLA Piper USA LLC 2000 University Avenue East Palo Alto, CA 94303
Helen of Troy Texas Corporation OXO International LTD	Yes	Erik B. Von Ziepel Seyfarth Shaw LLP 2029 Century Park East, Suite 330 Los Angeles, CA 90067
Energizer Holdings Inc. Eveready Battery Company, Inc.	Yes	Jill Zimmerman Anthony I. Fenwick David Lisson Veronica C. Abreu Davis Polk & Wardwell 1600 El Camino Real Menlo Park, CA 94025
Emerson Electric Co. Ridge Tool Company	Yes	Roger G. Perkins, Esq Angela Kim, Esq. MORRIS POLICH & PURDY LI

Ridgid, Inc.		501 West Broadway, Suite 500 San Diego, California 92101
		Orlando F. Cabanday
		HENNELLY & GROSSFELD LI
		4640 Admiralty Way, Suite 850 Marina del Rey, CA 90292
		Warma der Rey, err 30232
		Robert S. Mallin Brinks Hofer Gilson & Lione
		NBC Tower
		455 N City Front Plaza Drive
		Suite 3600 Chicago, IL 60611
		Cincugo, IL 00011
One World Technologies, 1	Inc. Yes	Roger G. Perkins, Esq
		Angela Kim, Esq. MORRIS POLICH & PURDY L
		501 West Broadway, Suite 500
		San Diego, California 92101
		Robert S. Mallin
		Brinks Hofer Gilson & Lione
		NBC Tower 455 N City Front Plaza Drive
		Suite 3600
		Chicago, IL 60611
Ryobi Technologies, Inc.	Yes	Roger G. Perkins, Esq
	T .1	MORRIS POLICH & PURDY L
Techtronic Industries N America, Inc.	lorth	501 West Broadway, Suite 500 San Diego, California 92101
Timerica, me.		San Diego, Camorina 72101
		Robert S. Mallin
		Brinks Hofer Gilson & Lione NBC Tower
		455 N City Front Plaza Drive
		Suite 3600 Chicago, II, 60611
		Chicago, IL 60611
Senco Products, Inc.	Yes	Roger G. Perkins, Esq

		MORRIS POLICH & PURDY LI
		501 West Broadway, Suite 500
		San Diego, California 92101
		Angela Kim
		MORRIS POLICH & PURDY LI
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		Sun Biogo, Cumoniu 92101
		Robert S. Mallin
		Brinks Hofer Gilson & Lione
		NBC Tower
		455 N City Front Plaza Drive
		Suite 3600
		Chicago, IL 60611
Informatics, Inc.	Yes	James H. Shalek
		Proskauer Rose LLP
Informatics Holdings, Inc.		1585 Broadway,
		New York, NY 10036
Datalogic Scanning, Inc.		I d E D' l
Detalogic Commission Halling		Jonathan E. Rich
Datalogic Scanning Holdings,		Proskauer Rose LLP
Inc.		2049 Century Park East, 32 nd Floor
Canada Anania	N. a.	Los Angeles, CA 90067
Sanyo North America	Yes	Douglas Carsten
Corporation		Debra D. Nye
		Foley & Lardner LLP
		11250 El Camino Real, Suit 200
		San Diego, California 92130
Matauala Inc	N.a.	Telephone: (858) 847-6700
Motorola, Inc.	Yes	Rachel M. Capoccia
		Hogan & Hartson L.L.P.
		1999 Avenue of the Stars,
		Suite 1400
		Los Angeles, California 90067
		Erik J. Lobenfeld
		Hogan & Hartson LLP
		875 Third Avenue
		New York, NY 10022

Eliot Teitelbaum

Yes

CTT Tools, Inc.

		Koorenny & Teitelbaum, LLP 11911 San Vicente Blvd. Suite 265
		Los Angeles, CA 90049
Alltrade Tools, LLC.	No	
Global Machinery Company	Yes	Thomas W. Ferrel
		HIGGS, FLETCHER & MACK L
GMCA Pty.		401 West "A" Street, Suite 2600
		San Diego, CA 92101-7913
Trapone Corporation Pty. Ltd.		Morte C. Vachician
		Mark G. Kachigian Cassandra L. Wilkinson
		HEAD, JOHNSON & KACHIGIA
		P.C.
		228 West 17th Place
		Tulsa, Oklahoma 74119
Emissive Energy Corp.	Yes	Jeff E. Scott
. .		GREENBERG TRAURIG, LLP
		2450 Colorado Avenue, Suite 400
		Santa Monica, California 90404
Metabo Corporation	Yes	Jeffrey D. Lewin
		Sullivan, Hill, Lewin, Rez & Engel
Metabowerke GMBH		550 West "C" Street, Suite 1500
		San Diego, CA 92101
		Daniel J. Bourque
		Bourque & Associates Intellectual
		Property Attorneys
		835 Hanover Street
		Suite 301
		Manchester, NH 03104
		Arnold Rosenblatt
		Cook Little Rosenblatt & Manson
		PLLC
		650 Elm Street
		Manchester, NH 03101
Rally Manufacturing, Inc.	Yes	Gary M. Anderson
		FULWIDER PATTON LLP
		Howard Hughes Center
		6060 Center Drive, Tenth Floor

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		Los Angeles, CA 90045
Sunbeam Products, Inc.	Yes	Sang N. Dang
		ORION LAW GROUP
		3 Hutton Centre Drive, Suite 850
		Santa Ana, CA 92707
		George L. Fountain
		ORION LAW GROUP
		3 Hutton Centre Drive, Suite 850
		Santa Ana, CA 92707
		Kening Li, PH.D.
		PINSENT MASONS
		C/o BAKER DONELSON
		BEARMAN CALDWELL AND
		BERKOWITZ
		555 11 th St., NW,
		Washington, DC 20004
		Vy H. Vu
		ORION LAW GROUP
		3 Hutton Centre Drive, Suite 850
		Santa Ana, CA 92707
Star Asia, U.S.A., LLC.	Yes	Richard A. Clegg
		Seltzer Caplan McMahon Vitek
		750 B St., Suite 2100
		San Diego, CA 92101
Logitech, Inc.	Yes	Richard S. Swope
_		ORRICK, HERRINGTON &
		SUTCLIFFE LLP
		1000 Marsh Road
		Menlo Park, CA 94025
Central Purchasing, LLC	Yes	Mark J. Rosenberg
<i>5</i> ,		Sills Cummis & Gross P.C.
		One Rockefeller Plaza
		New York, New York 10020
		a F.D.:
		Susan E. Basinger
		Higgs Fletcher & Mack LLP
		401West "A" Street, Suite 2600

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		San Diego, California 92101
Kyocera International, Inc.	Yes	Anthony J. Dain
		Victor M. Felix
Kyocera Wireless Corp.		PROCOPIO, CORY,
		HARGREAVES & SAVITCH LLP
		530 B Street, Suite 2100
		San Diego, California 92101
DMS Holdings, Inc. dba Mabis	No	
Healthcare and Duro-Med		
Industries		

Dated this Wednesday, April 09, 2008.

Respectfully submitted,

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST, Plaintiff

/s/ Melody A. Kramer J. Michael Kaler Melody A. Kramer Patricia A. Shackelford Attorneys for Plaintiff

PROOF OF SERVICE

I, Melody A. Kramer declare: I am and was at the time of this service working within in the County of San Diego, California. I am over the age of 18 year and not a party to the within action. My business address is the Kramer Law Office, Inc., 9930 Mesa Rim Road, Suite 1600, San Diego, California, 92121. I am a member of the State Bar of California and the Bar of this Court.

On April 9, 2008, I served on the parties to this action the following documents:

NOTICE OF MOTION AND PLAINTIFF'S MOTION TO CONSOLIDATE CASES

PERSON(S) SERVED	PARTY(IES) SERVED	METHOD OF SERVICE
Raymond P. Niro, Jr. Dina Hayes Gregory P. Casimer Robert A. Conley Niro, Scavone, Haller & Niro 181 W. Madison St., Ste. 4600 Chicago, IL 60602 312/236-3137 FAX rnirojr@nshn.com hayes@nshn.com casimer@nshn.com rconley@nshn.com	Defendants Black & Decker Corp.; Black & Decker, Inc.; Black & Decker (U.S.), Inc.; Vector Products, Inc.; and B&D Holdings, LLC ("B&D Defendants")	EmailPleadings Filed with the Court
Allison Goddard J. Christopher Jaczko Jaczko Goddard LLP 4401 Eastgate Mall San Diego, CA 92121 agoddard@jaczkogoddard.com cjaczko@jaczkogoddard.com	Defendant Hi-Tech Plastics, Inc. and Phillips Plastics	EmailPleadings Filed with the Court
Kenneth S. Klein Foley & Lardner LLP 402 W. Broadway, Suite 2100 San Diego, CA 92101-3542 619/234-3510 FAX kklein@foley.com	Defendants Hi-Tech & Phillips	EmailPleadings Filed with the Court
Robert L. Binder Foley & Lardner LLP	Defendants Hi-Tech & Phillips	EmailPleadings Filed with the Court

1	777 East Wisconsin Avenue		
2	Milwaukee, WI 53202 414/297-4900 FAX		
3	rbinder@foley.com		
4	Richard L. Schwaab Pavan K. Agarwal	Defendants Hi-Tech & Phillips	EmailPleadings Filed with the Court
5	C. Edward Polk, Jr.	Timips	with the Court
6	Foley & Lardner LLP 3000 K Street, N.W. Suite 500		
7	Washington, DC 20007 202/672-5399 FAX		
8	rschwaab@foley.com		
9	pagarwal@foley.com epolk@foley.com		
10			
11	Allison Goddard	Defendant Giant	Email – Pleadings Filed
12	J. Christopher Jaczko	International (USA) Ltd.	with the Court
13	Jaczko Goddard LLP 4401 Eastgate Mall		
14	San Diego, CA 92121 agoddard@jaczkogoddard.com		
15	cjaczko@jaczkogoddard.com 858-225-3500 FAX		
16			
17	Dale Lischer dlischer@sglaw.com	Defendant Giant International (USA) Ltd.	Email – Pleadings Filed with the Court
18	Elizabeth G. Borland egborland@sglaw.com		
19	Kerri A. Hochgesang		
20	khochgesang@sglaw.com Smith, Gambrell & Russell, LLP		
21	Promenade II, Suite 3100 1230 Peachtree St., N.E.		
22	Atlanta, GA 30309 404-685-6945 FAX		
23			
24	Alan A. Limbach	Esseplast (USA) NC, Inc.	EmailPleadings Filed
25	DLA Piper USA LLC 2000 University Avenue		with the Court via CM/ECF
26	East Palo Alto, CA 94303-2214 alan.limbach@dlapiper.com		
27	Gregory J. Lundell	Eccoplest (USA) NC Inc	Email Dlandings Filed
28	DLA Piper USA LLC	Esseplast (USA) NC, Inc	EmailPleadings Filed with the Court via

1	2000 University Avenue		CM/ECF
2	East Palo Alto, CA 94303-2214 greg.lundell@dlapiper.com		
	greg.runden e diaprper.com	Esseplast (USA) NC, Inc	EmailPleadings Filed
3	Elizabeth Day		with the Court via
4	DLA Piper USA LLC 2000 University Avenue		CM/ECF
5	East Palo Alto, CA 94303-2214		
6	elizabeth.day@dlapiper.com		
	Vincent S Lam	Esseplast (USA) NC, Inc	EmailPleadings Filed with the Court via
7	DLA Piper USA LLC		CM/ECF
8	2000 University Avenue East Palo Alto, CA 94303-2214		
9	vincent.lam@dlapiper.com		
	Erik R. Fuehrer	Esseplast (USA) NC, Inc	EmailPleadings Filed
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11	2000 University Avenue East Palo Alto, CA 94303-2214		CM/ECF
12	erik.fuehrer@dlapiper.com		
13	Erik B. Von Ziepel	Helen of Troy Texas	EmailPleadings Filed
14	Seyfarth Shaw LLP	Corporation; Oxo	with the Court via
	2029 Century Park East, Suite 3300	International Ltd.	CM/ECF
15	Los Angeles, CA 90067 evonzeipel@seyfarth.com		
16	evenimente sey taraneom		
17	Jill Zimmerman	Energizer Holdings Inc.	EmailPleadings Filed
1.0	Davis Polk & Wardwell 1600 El Camino Real	Eveready Battery Company, Inc.	with the Court via CM/ECF
18	Menlo Park, CA 94025	company, mo	
19	jill.zimmerman@dpw.com		
20	Anthony I. Fenwick	Energizer Holdings Inc.	EmailPleadings Filed
21	Davis Polk & Wardwell	Eveready Battery	with the Court via
	1600 El Camino Real Menlo Park, CA 94025	Company, Inc.	CM/ECF
22	anthony.fewick@dpw.com		
23	David Liagas	Engaging H-141; - I	Email Distance Fit 1
24	David Lisson Davis Polk & Wardwell	Energizer Holdings Inc. Eveready Battery	EmailPleadings Filed with the Court via
25	1600 El Camino Real	Company, Inc.	CM/ECF
	Menlo Park, CA 94025		
26	david.lisson@dpw.com		
27	Veronica C. Abreu	Energizer Holdings Inc.	EmailPleadings Filed
28	Davis Polk & Wardwell 1600 El Camino Real	Eveready Battery Company, Inc.	with the Court via CM/ECF
	1000 Li Callillo ICal	Company, Inc.	

1	Menlo Park, CA 94025		
2	veronica.abreu@dpw.com		
3	Roger G. Perkins, Esq Angela Kim, Esq.	Emerson Electric Co., Ridge Tool Co., and	Email - Pleadings Filed with the Court via ECF
4	MORRIS POLICH & PURDY LLP 501 West Broadway, Suite 500	Ridgid, Inc., One World Technologies, Inc.	
5 6	San Diego, California 92101 rperkins@mpplaw.com		
7	akim@mpplaw.com		
8	Orlando F. Cabanday HENNELLY & GROSSFELD LLP	Emerson Electric Co., Ridge Tool Co., and	Email - Pleadings Filed with the Court via ECF
9	4640 Admiralty Way, Suite 850 Marina del Rey, CA 90292	Ridgid, Inc.	with the court via Ber
10 11	Telephone: (310) 305-2100 Facsimile: (310) 305-2116		
12	ocabanday@hgla.com		
13	Robert S. Mallin Brinks Hofer Gilson & Lione	Emerson Electric Co., Ridge Tool Co., and	Email - Pleadings Filed with the Court via ECF
14	NBC Tower 455 N City Front Plaza Drive	Ridgid, Inc., One World Technologies, Inc.	
15	Suite 3600 Chicago, IL 60611		
16	rmallin@brinkshofer.com		
17 18	Roger G. Perkins, Esq rperkins@mpplaw.com	Ryobi Technologies, Inc. Techtronic Industries	Email - Pleadings Filed with the Court via ECF
19	MORRIS POLICH & PURDY LLP 501 West Broadway, Suite 500	North America, Inc.	
20	San Diego, California 92101		
21	Robert S. Mallin Brinks Hofer Gilson & Lione	Ryobi Technologies, Inc. Techtronic Industries	Email - Pleadings Filed with the Court via ECF
22	NBC Tower 455 N City Front Plaza Drive	North America, Inc.	
23	Suite 3600 Chicago, IL 60611		
24	rmallin@brinkshofer.com		
25	Roger G. Perkins, Esq	Senco Products, Inc.	Email - Pleadings Filed with the Court via ECF
26	rperkins@mpplaw.com MORRIS POLICH & PURDY LLP		with the Court via ECF
27 28	501 West Broadway, Suite 500 San Diego, California 92101		
20			

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2	akim@mpplaw.com MORRIS POLICH & PURDY LLP		with the Court via ECF
3	501 West Broadway, Suite 500		
	San Diego, California 92101		
4	Robert S. Mallin	Senco Products, Inc.	Email - Pleadings Filed
5	Brinks Hofer Gilson & Lione	School roducts, me.	with the Court via ECF
6	NBC Tower		
	455 N City Front Plaza Drive Suite 3600		
7	Chicago, IL 60611		
8	rmallin@brinkshofer.com	7.0	F. 1. 1. F.
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Anthony J. Dain Victor M. Felix PROCOPIO, CORY, HARGREAVES & SAVITCH LLP 530 B Street, Suite 2100 San Diego, California 92101 vmf@procopio.com ajd@procopio.com To Agent for Process of Service DMS Holdings, Inc. The Corporation Trust Company Corporation Trust Center 1209 Orange Street, Wilmington, DE 19801 I (Personal Service) I caused to be personally served in a sealed envelope hand-delivered to the office of counsel during regular business hours. X (Federal Express) I deposited or caused to be deposited today with Federal Express in sealed envelope containing a true copy of the foregoing documents with fees fully prepaid addressed to the above noted addressee for overnight delivery. (Facsimile) I caused a true copy of the foregoing documents to be transmitted by facsimile machine to the above noted addressees. The facsimile transmissions were reported as complete and without error. (Email) I emailed a true copy of the foregoing documents to an email address represented to be the correct email address for the above noted addressee.	
Victor M. Felix PROCOPIO, CORY, HARGREAVES & SAVITCH LLP 530 B Street, Suite 2100 San Diego, California 92101 vmf@procopio.com 7 Co Agent for Process of Service DMS Holdings, Inc. The Corporation Trust Company Corporation Trust Center 1209 Orange Street, Wilmington, DE 19801 Personal Service I caused to be personally served in a sealed envelope hand-delivered to the office of counsel during regular business hours. Pederal Express I deposited or caused to be deposited today with Federal Express in sealed envelope containing a true copy of the foregoing documents with fees fully prepaid addressed to the above noted addressee for overnight delivery. Facsimile I caused a true copy of the foregoing documents to be transmitted by facsimile machine to the above noted addressees. The facsimile transmissions were reported as complete and without error. (Email) I emailed a true copy of the foregoing documents to an email address represented to be the correct email address for the above noted addressee.	
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5 S30 B Street, Suite 2100 San Diego, California 92101 vmf@procopio.com ajd@procopio.com ajd@procopio.com Zo Agent for Process of Service DMS Holdings Federal Express DMS Holdings, Inc. The Corporation Trust Company Corporation Trust Center 1209 Orange Street, Wilmington, DE 19801 Wilmington, DE 19801	VITCH LLP
winf@procopio.com C/o Agent for Process of Service DMS Holdings, Inc. The Corporation Trust Company Corporation Trust Center 1209 Orange Street, Wilmington, DE 19801 (Personal Service) I caused to be personally served in a sealed envelope hand-delivered to the office of counsel during regular business hours. X (Federal Express) I deposited or caused to be deposited today with Federal Express in sealed envelope containing a true copy of the foregoing documents with fees fully prepaid addressed to the above noted addressee for overnight delivery. (Facsimile) I caused a true copy of the foregoing documents to be transmitted by facsimile machine to the above noted addressees. The facsimile transmissions were reported as complete and without error. (Email) I emailed a true copy of the foregoing documents to an email address represented to be the correct email address for the above noted addressee.	
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this document via the CM/ECF system for the United States District Court for the Southern District of California.	via the CM/ECF system for the United States District Court for the ct of California.
2	or cumoram.
I declare that the foregoing is true and correct, and that this declaration was executed on	
Wednesday, April 09, 2008, in San Diego, California.	3, in San Diego, California.
/s/ Melody A. Kramer	/s/ Melody A. Kramer
Melody A. Kramer	
	Melody A. Kramer
	Melody A. Kramer
$\mathbf{g} = \mathbf{g}$	Melody A. Kramer